

8/21/2018

DEPARTMENT OF THE INTERIOR Mail - Active Politicals as of 5-25-18 - Invitation to view

BLM-2018-00703-000001



Witt, Ryan <rwitt@blm.gov>

## Active Politicals as of 5-25-18 - Invitation to view

1 message

**Cindy Cafaro (via Google Sheets)** <cindy\_cafaro@ios.doi.gov>  
Reply-To: Cindy Cafaro <cindy\_cafaro@ios.doi.gov>  
To: catsamcat\_contact\_list@ios.doi.gov  
Cc: robert\_howarth@ios.doi.gov

Wed, May 30, 2018 at 3:10 PM

cindy\_cafaro@ios.doi.gov has invited you to view the following spreadsheet:

 [Active Politicals as of 5-25-18](#)



For FOIA Awareness Process. Email to follow.

[Open in Sheets](#)

Google Sheets: Create and edit spreadsheets online.

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You have received this email because someone shared a spreadsheet with you from Google Sheets.

Google



Rank	Name of the Candidate	Roll No.	Grade	Remarks	Signature of the Candidate	Signature of the Examiner
1	ABHIRAM K	101	A	Excellent		
2	ADARSH K	102	A	Excellent		
3	ADARSH K	103	A	Excellent		
4	ADARSH K	104	A	Excellent		
5	ADARSH K	105	A	Excellent		
6	ADARSH K	106	A	Excellent		
7	ADARSH K	107	A	Excellent		
8	ADARSH K	108	A	Excellent		
9	ADARSH K	109	A	Excellent		
10	ADARSH K	110	A	Excellent		
11	ADARSH K	111	A	Excellent		
12	ADARSH K	112	A	Excellent		
13	ADARSH K	113	A	Excellent		
14	ADARSH K	114	A	Excellent		
15	ADARSH K	115	A	Excellent		
16	ADARSH K	116	A	Excellent		
17	ADARSH K	117	A	Excellent		
18	ADARSH K	118	A	Excellent		
19	ADARSH K	119	A	Excellent		
20	ADARSH K	120	A	Excellent		

[1] Sort Key:  
1 = Currently Active;  
2 = Remove

BLM-2018-00703-000005



Witt, Ryan &lt;rwitt@blm.gov&gt;

**Awareness Process for Freedom of Information Act Productions**

1 message

**Cafaro, Cindy** <cindy\_cafaro@ios.doi.gov>

Thu, May 24, 2018 at 10:15 AM

To: Scott Cameron <scott\_cameron@ios.doi.gov>, "Combs, Susan" <susan\_combs@ios.doi.gov>, John Tahsuda <john.tahsuda@bia.gov>, Joseph Balash <joseph\_balash@ios.doi.gov>, Timothy Petty <timothy\_petty@ios.doi.gov>, Douglas Domenech <douglas\_domenech@ios.doi.gov>, "Paul (Dan) Smith" <paul\_smith@nps.gov>, Jim Kurth <jim\_kurth@fws.gov>, Tony Dearman <tony.dearman@bia.gov>, Brian Steed <bsteed@blm.gov>, Walter Cruickshank <Walter.Cruickshank@boem.gov>, Scott Angelle <scott.angelle@bsee.gov>, Glenda Owens <gowens@osmre.gov>, James Reilly <jfreilly@usgs.gov>, Brenda Burman <bburman@usbr.gov>, Nikolao Pula <nikolao\_pula@ios.doi.gov>, Darryl LaCounte <darryl.lacounte@bia.gov>, Jerold Gidner <jerold\_gidner@ost.doi.gov>, Daniel Jorjani <daniel.jorjani@sol.doi.gov>, John Tanner <john\_tanner@ios.doi.gov>, Laura Rigas <laura\_rigas@ios.doi.gov>, Todd Wynn <todd\_wynn@ios.doi.gov>, Stephen Wackowski <stephen\_wackowski@ios.doi.gov>, Greg Gould <greg.gould@onrr.gov>, Pamela Williams <pamela\_williams@ios.doi.gov>, Juliette Lillie <juliette\_lillie@ios.doi.gov>, John McClanahan <john\_mcclanahan@ios.doi.gov>, Samantha Hebert <samantha\_hebert@ios.doi.gov>, Vincent Devito <vincent\_devito@ios.doi.gov>, "May, Brian" <bmay@usgs.gov>, Charis Wilson <Charis\_Wilson@nps.gov>, Stefanie Jewett <stefanie\_jewett@doioig.gov>, Natasha Alcantara <natasha.alcantara@boem.gov>, "Caro, Jesus D (Jesse)" <jcaro@usbr.gov>, Clarice Julka <clarice\_julka@ios.doi.gov>, "Tinker, Dorothy J" <Dorothy.Tinker@bsee.gov>, "Hyde-Michaels, Carrie" <carrie\_hyde-michaels@fws.gov>, Lance Purvis <lance.purvis@sol.doi.gov>, Ryan Witt <rwitt@blm.gov>, Heather Garcia <heather.garcia@bia.gov>, Oladele Awoniyi <oawoniyi@osmre.gov>, Meleanie Lowery <meleanie\_lowery@ost.doi.gov>, Janet Lin <janet\_lin@oha.doi.gov>

Cc: "Burns, Sylvia" <sylvia\_burns@ios.doi.gov>, Timothy Murphy <timothy.murphy@sol.doi.gov>

Good morning. Please find attached a memorandum formalizing the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

**Awareness Process Memo Final.pdf**

1103K



## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

MAY 24 2018

Memorandum

To: Assistant Secretaries  
Heads of Bureaus and Offices  
Bureau/Office FOIA Officers

From: Cindy Cafaro  
Departmental FOIA Officer

Subject: Awareness Process for Freedom of Information Act Productions

For more than 6 years, the Department of the Interior (Department) leadership and the Solicitor's Office (SOL) have been made aware of impending Freedom of Information Act (FOIA) responses on a case-by-case basis. This has allowed the Department's leadership and SOL to efficiently respond to queries and legal ramifications arising from FOIA responses. Given the unprecedented number of incoming FOIA requests<sup>1</sup> and increased FOIA litigation the Department has faced in the past year,<sup>2</sup> we are formalizing the awareness process to ensure it is consistent and effective.<sup>3</sup>

The Department will continue to process FOIA requests as usual, including: directing searches for responsive records;<sup>4</sup> searching for and providing responsive records;<sup>5</sup> processing responsive records;<sup>6</sup> and reviewing proposed responses.<sup>7</sup> After these steps are completed, the awareness process is as follows:

- 1) FOIA personnel search responsive emails and attachments to emails for the names and email addresses of current Department employees who are Presidentially Appointed,

<sup>1</sup> In Fiscal Year (FY) 2016, the Department received 6,428 FOIA requests; in FY 2017, 8,005 FOIA requests; and in FY 2018, to date, more than 5,000 FOIA requests. Some Bureaus have particularly large increases in FOIA requests. For example, in FY 2016, the Office of the Secretary (OS) received 512 FOIA requests; in FY 2017, 1,226 FOIA requests; and in FY 2018, to date, more than 1,000 FOIA requests. For more information, see the Department's [FOIA Annual Reports](#).

<sup>2</sup> For example, in FY 2016, 24 FOIA cases were filed and handled by SOL's Division of General Law; in FY 2017, 59 FOIA cases; and in FY 2018, to date, more than 40 FOIA cases.

<sup>3</sup> Please note that this process, in its entirety, does not apply to the Office of Inspector General's (OIG) FOIA personnel or processes. Other Bureaus should continue, however, to consult with OIG as they normally would for any documents that originated with or contain reference to OIG business, including OIG investigations, audits, or inspections. See [43 C.F.R. § 2.13\(b\)](#) (outlining the consultation and referral process).

<sup>4</sup> See [383 DM 15 § 15.6.H](#) (outlining the responsibilities of the office and/or employee that will be making a final decision on a particular FOIA request).

<sup>5</sup> See [383 DM 15 § 15.6.L](#) (outlining the responsibilities of all employees of the Department to respond promptly and accurately to FOIA-related requests).

<sup>6</sup> See [5 U.S.C. §§ 552\(a\)\(8\) & \(b\)](#) (outlining FOIA exemptions and foreseeable harm); [43 C.F.R. § 2.13\(b\)](#); see also [383 DM 15 § 15.6.H](#); and the Department's [Foreseeable Harm Standard Memorandum](#).

<sup>7</sup> See [43 C.F.R. § 2.23\(c\)](#) (requiring Bureaus to consult with SOL before withholding a record in full or in part).

Senate Confirmed (PAS), Non-Career Senior Executive (NCSE), and/or Schedule C employees.

- 2) If the names of current Department employees who are PAS, NCSE, and/or Schedule C employees are identified:
  - i. FOIA personnel notify each PAS, NCSE, and/or Schedule C employee identified in responsive emails and provide him/her access to the full set of responsive records<sup>8</sup> (in the same format and with the same withholdings that have been approved by SOL, so he/she will see the records exactly as the FOIA requester will).
  - ii. FOIA personnel simultaneously notify a SOL attorney. When applicable, this will be the attorney who reviewed the proposed redactions and/or is handling related FOIA litigation, otherwise the FOIA personnel will contact the SOL Division or Region he/she would contact to review proposed redactions.
  - iii. The PAS, NCSE, and/or Schedule C employee(s) and SOL attorney have up to 72 hours to review the responsive records.<sup>9</sup>
    - a. If a reviewer needs a reasonable amount of additional time to review the responsive records, he/she must inform the FOIA personnel within 72 hours.
    - b. If a reviewer does not reply to the FOIA personnel within 72 hours, *his/her silence will be taken as an affirmation that he/she has concluded his/her review.*
- 3) FOIA personnel will then respond to the FOIA requester in accordance with their usual response process.

As you know, FOIA is a statutory requirement, and full and timely compliance with FOIA obligations is expected. The awareness process discussed above does not change the Department's statutory or, when applicable, litigation deadlines and must be conducted within those existing deadlines.

If you need assistance with a particular FOIA request, please contact your Bureau FOIA Officer using the information found at <https://www.doi.gov/foia/contacts>. If you have general FOIA questions, please contact me at (202) 208-5342 or [cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov).

cc: Sylvia Burns, Chief FOIA Officer  
Timothy Murphy, Acting Deputy Solicitor, Division of General Law, Office of the Solicitor  
FOIA Contacts

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<sup>8</sup> This is true even if the FOIA personnel is not in the same Bureau as the PAS, NCSE, and/or Schedule C employee identified in responsive emails.

<sup>9</sup> As noted above, the purpose of this review is to facilitate awareness of the information that will be released after the application of FOIA exemptions. Reviewers are not expected to confirm that the appropriate exemptions have been applied, but may follow up as necessary to understand their basis.



BLM-2018-00703-000008



Witt, Ryan &lt;rwitt@blm.gov&gt;

## Agenda for today's meeting

**Cafaro, Cindy** <cindy\_cafaro@ios.doi.gov>

Fri, Mar 23, 2018 at 9:34 AM

To: Brian May <bmay@usgs.gov>, Charis Wilson <Charis\_Wilson@nps.gov>, Natasha Alcantara <natasha.alcantara@boem.gov>, Clarice Julka <clarice\_julka@ios.doi.gov>, Lance Purvis <lance.purvis@sol.doi.gov>, Ryan Witt <rwitt@blm.gov>, Oladele Awoniyi <oawoniyi@osmre.gov>, Veronica Herkshan <veronica\_herkshan@ost.doi.gov>, Jessica Rogers <jessica.rogers@bia.gov>, Carrie Hyde-Michaels <carrie\_hyde-michaels@fws.gov>, "Tinker, Dorothy J" <Dorothy.Tinker@bsee.gov>, Stefanie Jewett <stefanie\_jewett@doioig.gov>, Ryan McQuighan <ryan\_mcquighan@ios.doi.gov>  
Cc: Justin Davis <justin\_davis@ios.doi.gov>, Robert Howarth <robert\_howarth@ios.doi.gov>, Curtis Pierce <cpierce@usbr.gov>, Mary Carlson <mcarlson@usbr.gov>

Hello, everyone. Our next FOIA Officer meeting will take place today at 10:30 AM Eastern via phone and in the North Penthouse of the MIB (please note this is not our usual location).

We are looking forward to speaking with you.

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To join the audio conference  
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(b) (5)  
passcode: (b) (5)

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

 **FOIA Agenda March 2018.docx**  
21K



# **Agenda**

**FOIA Officers Meeting  
10:30 a.m. March 23, 2018  
MIB North Penthouse**

- |      |  |                               |
|------|--|-------------------------------|
| I.   | FOIA Development Document              | - Everyone                    |
| II.  | Procedure for Upcoming Audits          | - Everyone                    |
| III. | Augmented Awareness Review             | -Cindy Cafaro                 |
| IV.  | Volume, Backlog, and 10 Oldest         | - Cindy Cafaro & Justin Davis |
| V.   | Proactive Disclosures and Transparency | -Everyone                     |
| VI.  | Housekeeping                           |                               |

BLM-2018-00703-000010



Witt, Ryan &lt;rwitt@blm.gov&gt;

## Follow-up

**Howarth, Robert** <robert\_howarth@ios.doi.gov>

Mon, Mar 26, 2018 at 6:27 PM

To: Clarice Julka <clarice\_julka@ios.doi.gov>, Charis Wilson <Charis\_Wilson@nps.gov>, Ryan Witt <rwitt@blm.gov>, Jessica Rogers <jessica.rogers@bia.gov>, "Alcantara, Natasha" <natasha.alcantara@boem.gov>, "Hyde-Michaels, Carrie" <carrie\_hyde-michaels@fws.gov>, Dele Awoniyi <Oladele\_Awoniyi@ios.doi.gov>, Lance Purvis <Lance.Purvis@sol.doi.gov>, Brian May <bmay@usgs.gov>, Michelle Escobar <mescobar@usbr.gov>, "Tinker, Dorothy" <dorothy.tinker@bsee.gov>, Veronica Herkshan <veronica\_herkshan@ost.doi.gov>  
Cc: Cindy Cafaro <cindy\_cafaro@ios.doi.gov>

Good afternoon. Please find attached for your guidance and use a list of political leadership in the Department. This is for internal use only.

Should there be any changes to this list, I will email you updates.

Regards, Rob

--

Robert Howarth  
Deputy Director for Correspondence and FOIA Management  
Office of the Executive Secretariat and Regulatory Affairs  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240  
202-208-3181  
202-208-4451 (direct)  
202-549-8961 (cell)



**Follow-up.pdf**  
293K

## **Political Staff**

### Secretary of the Interior

**Secretary - Ryan K. Zinke**

**Special Assistant to the Secretary – Caroline Boulton**

### Immediate Office of the Secretary

**Chief of Staff - Scott Hommel**

**Special Assistant to the Chief of Staff – Elinor Renner**

**Deputy Chief of Staff for Policy – Downey Magallanes**

**Deputy Chief of Staff for Operations – Michael Argo**

**Executive Assistant – Lacey Smethers (for Magallanes and Argo)**

**Senior Advisor – Rick May**

**Field Coordinator – Evan Wilson**

**Counselor to the Secretary for Energy Policy – Vincent DeVito**

**Advisor to Counselor– Joshua Campbell**

**Special Assistant to the Secretary – David Mihalic**

**White House Liaison – Lori Mashburn**

**Special Assistant to the Secretary (WHL) – Natalie Davis**

### Deputy Secretary

**Deputy Secretary – David L. Bernhardt**

**Associate Deputy Secretary – James Cason**

**Assistant Deputy Secretary – Todd Willens**

**Special Assistant – Matt Dermody**

**Counselor – James Voyles**

**Counselor – Kate Mills**

**Counselor - Gary Lawkowski**

### Assistant Secretary – Policy, Management and Budget

***NOMINATED - Susan Combs, Assistant Secretary for Policy, Management and Budget***

***(Senior Advisor to the Secretary)***

**Principal Deputy Assistant Secretary - Scott Cameron**

**Senior Advisor (Grants) – Steve Howke**

### Assistant Secretary – Water and Science

**Assistant Secretary for Water and Science – Dr. Tim Petty**

**Deputy Assistant Secretary – Dr. Andrea Travnicek**

**Deputy Assistant Secretary – Austin Ewell**

**Advisor – Ryan Nichols**

**Special Assistant (Denver) – Alexander Sterhan**

**Commissioner, Bureau of Reclamation – Brenda Burman**  
**Deputy Commissioner - Alan Mikkelsen**  
***NOMINATED – James Reilly II, Director of the U.S. Geological Survey***

**Assistant Secretary – Land and Minerals Management**

**Assistant Secretary - Joseph Balash**  
**Principal Deputy Assistant Secretary - Katharine MacGregor**  
**Deputy Assistant Secretary – Casey Hammond**  
**Senior Assistant – William “Billy” Dove**  
**Deputy Director for Programs and Policy, Bureau of Land Management – Brian Steed**  
**Senior Advisor – Kathleen Benedetto**  
**Senior Advisor – Tom Baptiste**  
**Director, Bureau of Safety and Environmental Enforcement – Scott Angelle**  
**Special Assistant to the Director – Preston Beard**  
**Senior Advisor, Bureau of Ocean Energy Management – James Schindler**  
***NOMINATED – J. Steven Gardner – Director, Office of Surface Mining Reclamation and Enforcement***  
**Senior Advisor – Landon “Tucker” Davis**

**Assistant Secretary for Fish and Wildlife and Parks**

**Principal Deputy Assistant Secretary – Jason Larrabee**  
**Deputy Assistant Secretary – Aurelia Skipwith**  
**Senior Advisor – Marshall Critchfield**  
**Deputy Director, National Park Service – P. Daniel Smith**  
**Senior Advisor, Congressional and Legislative Affairs, National Park Service - Charles Laudner**  
**Special Assistant, National Park Service – Brian Pavlik**  
**Principal Deputy Director, U.S. Fish and Wildlife Service - Greg Sheehan**  
**Special Advisor – Zach Gambill**

**Assistant Secretary – Indian Affairs**

***NOMINATED – Tara Mac Lean Sweeney, Assistant Secretary – Indian Affairs***  
**Principal Deputy Assistant Secretary – John Tahsuda**  
**Counselor – Kyle Scherer**

**Assistant Secretary – Office of Insular and International Affairs**

**Assistant Secretary for Insular and International Affairs – Doug Domenech**

**Office of the Special Trustee for American Indians**

**None**

**Office of the Solicitor**

***NOMINATED – Ryan D. Nelson, Solicitor***  
**Principal Deputy Solicitor – Dan Jorjani**  
**Deputy Solicitor – Indian Affairs (Acting) - Kyle Scherer**

**Deputy Solicitor for Water – Brandon Middleton**  
**Deputy Solicitor for Land Management – Cally Younger**  
**Deputy Solicitor for Parks and Wildlife - Rick Goeken**

**Office of Congressional and Legislative Affairs**

**Director – John Tanner**  
**Deputy Director – Micah Chambers**  
**Deputy Director – Amanda Kaster-Averill**  
**Advisor – Blake Deeley**

**Office of Intergovernmental and External Affairs**

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**Deputy Director for External Affairs – Tim Williams**  
**Special Assistant – Jason Funes**

**Office of Communications**

**Director - Laura Keehner Rigas**  
**Deputy Director – Russell Newell**  
**Press Secretary – Heather Swift**  
**Deputy Press Secretary – Alex Hinson**  
**Deputy Press Secretary – Faith Vander Voort**  
**Senior Advisor – John Bockmeir**  
**Writer – Eli Nachmany**

**Office of Scheduling and Advance**

**Deputy Chief of Staff for Operations – Mike Argo**  
**Director of Advance – Vacant**  
**Director for Scheduling – Leila Sepehri Getto**  
**Advance Representative – Aaron Thiele**  
**Advance Representative – Luke Bullock**

**Alaska Affairs Office**

**Senior Advisor – Steve Wackowski**

**Secretary's Indian Water Rights Office**

None

**Land Buy-Back Program**

None

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BLM-2018-00703-000014



Witt, Ryan &lt;rwitt@blm.gov&gt;

**Follow-up****Witt, Ryan** <rwitt@blm.gov>

Tue, Mar 27, 2018 at 10:22 AM

To: Patrick Wilkinson <p2wilkin@blm.gov>, "Crandall, Megan" <mcrandal@blm.gov>, Jeff Krauss <jkrauss@blm.gov>, "Winston, Beverly" <bwinston@blm.gov>

This is a list for FOIA FYI notification of politicals at DOI. As I understand it, Exec Sec is also working on guidance for a process and timeline for notification when appointees are the subject of FOIA requests. We expect to have that guidance in the next 10 business days.

Thank you

Ryan Witt  
Acting Division Chief - External Affairs  
Bureau of Land Management

Direct: (202) 912-7562

Email: [rwitt@blm.gov](mailto:rwitt@blm.gov)

[Quoted text hidden]

**Follow-up.pdf**

293K

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**Assistant Secretary for Insular and International Affairs – Doug Domenech**

**Office of the Special Trustee for American Indians**

**None**

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**Advance Representative – Luke Bullock**

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**Senior Advisor – Steve Wackowski**

**Secretary's Indian Water Rights Office**

None

**Land Buy-Back Program**

None

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BLM-2018-00703-000018



Witt, Ryan &lt;rwitt@blm.gov&gt;

**Today's meeting has been postponed**

**Cafaro, Cindy** <cindy\_cafaro@ios.doi.gov>  
To: "Witt, Ryan" <rwitt@blm.gov>

Tue, Apr 24, 2018 at 8:55 AM

Thanks, Ryan! I'll make sure you're at the end.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, Apr 24, 2018 at 8:52 AM, Witt, Ryan <rwitt@blm.gov> wrote:

Hi Cindy,

I would like to be in the last wave. I am at Main Interior covering for our Deputy Assistant Director this week. I will be on the call tomorrow.

Thank you

Ryan Witt  
Acting Division Chief - External Affairs  
Bureau of Land Management

Direct: (202) 912-7562

Email: [rwitt@blm.gov](mailto:rwitt@blm.gov)

On Tue, Apr 24, 2018 at 8:49 AM, Cafaro, Cindy <cindy\_cafaro@ios.doi.gov> wrote:

Hello, everyone. Here is our agenda for tomorrow's meeting and a few updates.

First, please submit your quarterly reports for the second quarter to me by May 4th (as always, this is a soft deadline-please just let me know if you need more time).

Second, our mid year audits will commence next week. Due to EFTS improvements, for the first time (as mentioned at the last meeting), you will run your own reports (and can do this at any time you like throughout the year). In lieu of one report with two tabs (as for past audits), there will be two reports. You will run them by going to the EFTS Reports drop down, clicking on Predefined Reports, entering the dates from 10/01/2017 to the day you run the report, and choosing first the "Open Requests Report" and then the "Completed and Closed Requests Report." We will discuss this more tomorrow, but if you have a chance to try this out today, we can discuss any questions that arise at tomorrow's meeting. Also, if you'd like to conduct your audit on a particular day (or be in the first or last wave), it is not too soon to let me know.

Thanks again.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, Apr 18, 2018 at 7:54 AM, Cafaro, Cindy <cindy\_cafaro@ios.doi.gov> wrote:

Hello, everyone. Our April FOIA Officer meeting will take place next Wednesday at 10:30 AM Eastern via phone and in room 7322 of the MIB (please note this is not our usual location).

We are looking forward to speaking with you and hope the delay is not inconvenient.

8/21/2018

DEPARTMENT OF THE INTERIOR Mail - Today's meeting has been postponed

BLM-2018-00703-000019

To join the audio conference

(b) (5)  
passcode: (b) (5)

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

**Agenda**  
**FOIA Officers Meeting**  
**10:30 a.m. April 25, 2018**  
**Room 7322 MIB**

- |      |  |                               |
|------|--|-------------------------------|
| I.   | Procedure for Upcoming Audits          | - Everyone                    |
| II.  | Awareness Review Update                | -Julie Lillie & Cindy Cafaro  |
| III. | Volume, Backlog, and 10 Oldest         | - Cindy Cafaro & Justin Davis |
| IV.  | Proactive Disclosures and Transparency | -Everyone                     |
| V.   | Housekeeping                           |                               |

BLM-2018-00703-000021



Witt, Ryan &lt;rwitt@blm.gov&gt;

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## New Exec Sec Guidance: Awareness Process for FOIA Productions

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Krauss, Jeff &lt;jkrauss@blm.gov&gt;

Thu, May 24, 2018 at 11:34 AM

To: Brian Steed &lt;bsteed@blm.gov&gt;, Michael Nedd &lt;mnedd@blm.gov&gt;, Kathleen Benedetto &lt;kbenedetto@blm.gov&gt;, "Baptiste, Thomas" &lt;tbaptiste@blm.gov&gt;

Cc: Beverly Winston &lt;bwinston@blm.gov&gt;, "Witt, Ryan" &lt;rwitt@blm.gov&gt;, Megan Crandall &lt;mcrandal@blm.gov&gt;, Amber Cargile &lt;acargile@blm.gov&gt;

Brian and Mike,

Please see attached from DOI FOIA the new process for FOIA and politicals.

Jeff

Ryan Witt  
Acting Division Chief - External Affairs  
Bureau of Land ManagementDirect: (202) 912-7562  
Email: [rwitt@blm.gov](mailto:rwitt@blm.gov)

----- Forwarded message -----

From: **Cafaro, Cindy** <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>

Date: Thu, May 24, 2018 at 10:16 AM

Subject: Awareness Process for FOIA Productions

To: Robert Howarth <[robert\\_howarth@ios.doi.gov](mailto:robert_howarth@ios.doi.gov)>

Good morning. Please find attached a memorandum formalizing the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

**Awareness Process Memo Final.pdf**

1103K



## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

MAY 24 2018

## Memorandum

To: Assistant Secretaries  
Heads of Bureaus and Offices  
Bureau/Office FOIA Officers

From: Cindy Cafaro  
Departmental FOIA Officer *Cindy Cafaro*

Subject: Awareness Process for Freedom of Information Act Productions

For more than 6 years, the Department of the Interior (Department) leadership and the Solicitor's Office (SOL) have been made aware of impending Freedom of Information Act (FOIA) responses on a case-by-case basis. This has allowed the Department's leadership and SOL to efficiently respond to queries and legal ramifications arising from FOIA responses. Given the unprecedented number of incoming FOIA requests<sup>1</sup> and increased FOIA litigation the Department has faced in the past year,<sup>2</sup> we are formalizing the awareness process to ensure it is consistent and effective.<sup>3</sup>

The Department will continue to process FOIA requests as usual, including: directing searches for responsive records;<sup>4</sup> searching for and providing responsive records;<sup>5</sup> processing responsive records;<sup>6</sup> and reviewing proposed responses.<sup>7</sup> After these steps are completed, the awareness process is as follows:

- 1) FOIA personnel search responsive emails and attachments to emails for the names and email addresses of current Department employees who are Presidentially Appointed,

<sup>1</sup> In Fiscal Year (FY) 2016, the Department received 6,428 FOIA requests; in FY 2017, 8,005 FOIA requests; and in FY 2018, to date, more than 5,000 FOIA requests. Some Bureaus have particularly large increases in FOIA requests. For example, in FY 2016, the Office of the Secretary (OS) received 512 FOIA requests; in FY 2017, 1,226 FOIA requests; and in FY 2018, to date, more than 1,000 FOIA requests. For more information, see the Department's [FOIA Annual Reports](#).

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<sup>4</sup> See [383 DM 15 § 15.6.H](#) (outlining the responsibilities of the office and/or employee that will be making a final decision on a particular FOIA request).

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<sup>6</sup> See [5 U.S.C. §§ 552\(a\)\(8\) & \(b\)](#) (outlining FOIA exemptions and foreseeable harm); [43 C.F.R. § 2.13\(b\)](#); see also [383 DM 15 § 15.6.H](#); and the Department's [Foreseeable Harm Standard Memorandum](#).

<sup>7</sup> See [43 C.F.R. § 2.23\(c\)](#) (requiring Bureaus to consult with SOL before withholding a record in full or in part).



Senate Confirmed (PAS), Non-Career Senior Executive (NCSE), and/or Schedule C employees.

- 2) If the names of current Department employees who are PAS, NCSE, and/or Schedule C employees are identified:
  - i. FOIA personnel notify each PAS, NCSE, and/or Schedule C employee identified in responsive emails and provide him/her access to the full set of responsive records<sup>8</sup> (in the same format and with the same withholdings that have been approved by SOL, so he/she will see the records exactly as the FOIA requester will).
  - ii. FOIA personnel simultaneously notify a SOL attorney. When applicable, this will be the attorney who reviewed the proposed redactions and/or is handling related FOIA litigation, otherwise the FOIA personnel will contact the SOL Division or Region he/she would contact to review proposed redactions.
  - iii. The PAS, NCSE, and/or Schedule C employee(s) and SOL attorney have up to 72 hours to review the responsive records.<sup>9</sup>
    - a. If a reviewer needs a reasonable amount of additional time to review the responsive records, he/she must inform the FOIA personnel within 72 hours.
    - b. If a reviewer does not reply to the FOIA personnel within 72 hours, *his/her silence will be taken as an affirmation that he/she has concluded his/her review.*
- 3) FOIA personnel will then respond to the FOIA requester in accordance with their usual response process.

As you know, FOIA is a statutory requirement, and full and timely compliance with FOIA obligations is expected. The awareness process discussed above does not change the Department's statutory or, when applicable, litigation deadlines and must be conducted within those existing deadlines.

If you need assistance with a particular FOIA request, please contact your Bureau FOIA Officer using the information found at <https://www.doi.gov/foia/contacts>. If you have general FOIA questions, please contact me at (202) 208-5342 or [cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov).

cc: Sylvia Burns, Chief FOIA Officer  
Timothy Murphy, Acting Deputy Solicitor, Division of General Law, Office of the Solicitor  
FOIA Contacts

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<sup>8</sup> This is true even if the FOIA personnel is not in the same Bureau as the PAS, NCSE, and/or Schedule C employee identified in responsive emails.

<sup>9</sup> As noted above, the purpose of this review is to facilitate awareness of the information that will be released after the application of FOIA exemptions. Reviewers are not expected to confirm that the appropriate exemptions have been applied, but may follow up as necessary to understand their basis.

BLM-2018-00703-000024



Witt, Ryan &lt;rwitt@blm.gov&gt;

## Awareness Process for FOIA Productions

Cafaro, Cindy &lt;cindy\_cafaro@ios.doi.gov&gt;

To: Robert Howarth &lt;robert\_howarth@ios.doi.gov&gt;

Bcc: catsamcat\_contact\_list@ios.doi.gov

Tue, Jun 19, 2018 at 2:18 PM

Hello again, everyone. More great questions have arrived and my answers are again in *italics*.

1) What if there is a letter in DTS sent to or from a PAS, NCSE, and/or Schedule C employee, and one of our employees retrieves the letter and emails it internally or externally? E.g., Congressional correspondence that is submitted to the Secretary, then routed to a bureau in DTS, retrieved from DTS by non-PAS, NCSE, and/or Schedule C employees and only emailed to non-PAS, NCSE, and/or Schedule C employees.  
*It goes to her. I would strongly suggest letting her know that is her only involvement and directing her to where it is in the package.*

2) Do calendars trigger awareness reviews?

*Not unless they are included in an email or attachment to an email. Only emails and attachments to emails trigger awareness reviews.*

3) What if a search turns up an old email naming a current PAS, NCSE, and/or Schedule C employee who wasn't in a Departmental position when the email was sent (for example, it was sent when the PAS, NCSE, and/or Schedule C employee was an employee of company X or an elected official in state Y)?

*It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is in the package.*

4) Are there any awareness reviews that should not go directly--or only--to the PAS, NCSE, and/or Schedule C employee?

*Awareness reviews for the Deputy Secretary should go to his assistant (Gareth Rees) and awareness reviews for the Secretary should go to the Deputy Chief of Staff for Policy (Downey Magallanes). Other awareness reviews should go directly to the PAS, NCSE, and/or Schedule C employee.*

*Additionally, the Deputy Chief of Staff for Policy (Ms. Magallanes) should be carbon copied on any awareness reviews that are sent to the Chief of Staff to the Secretary (Scott Hommel), the Executive Assistant to the Secretary (Caroline Boulton), and/or the Executive Assistant to the Chief of Staff (Elinor Werner (née Renner)).*

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, May 30, 2018 at 3:11 PM, Cafaro, Cindy <cindy\_cafaro@ios.doi.gov> wrote:

Good afternoon. Great questions have already come in about the awareness process and I am sharing the questions and answers with the group. My answers are in *italics*.

1) Will there be an updated list of PAS, NCSE, and/or Schedule C employees distributed? *Yes. I have just shared a OCIO spreadsheet with this group that OCIO will update on a monthly basis.*

2) It looks like we are only concerned with emails and attachments to emails. So if something went through DTS and we locate it in DTS, but not in the email system, it does not need to go up through the awareness process no matter whose name appears in the document or who signed it? *Yes.*

3) *If the email triggering an awareness review has been released before, should an awareness review still occur? Yes, send the package to him. I would strongly suggest letting him know that is his only involvement, it has already been released, and directing him to where it is in the package.*

4) *If the email triggering an awareness review has been released before, is already online, and a link is being sent to the requester rather than a package of materials, should an awareness review still occur? Yes, send the package to her. I would strongly suggest letting her know that is her only involvement, it has already been released, and directing her to where it is on the website.*

BLM-2018-00703-000025

5) What about unsolicited comments sent by members of the public to a public-facing email account that bears our Director's name? *If your Director is a PAS, NCSE, and or Schedule C employee, it goes to him. If not, it doesn't.*

6) When we send the records up, do we send finalized redactions or just the temporary redactions so they can see what was withheld? Looks like it says finalized, but just want to be sure. *Yes, finalized redactions.*

7) Does footnote 8 mean every random person who gets their hands on a FOIA all just reach out to whoever's PAS, NCSE, and/or Schedule C employee directly? *You have discretion as to whether the contact comes directly from the Action Office or is more centralized within the bureau. (Personally, I prefer centralization.) It would not come from random people though; it is the FOIA personnel in the Action Office that have collected the records, reviewed them, and has the redactions reviewed and applied (as needed)--all of which must occur before an awareness review. Non-FOIA personnel would never send up an awareness review.*

8) Do they need to see the outgoing letter as well? The incoming request? Or just the records? *You have discretion. I would include the incoming request as part of the awareness notification.*

9) What are we doing when we notify the SOL attorney in step 2, ii? Just letting them know that it's going up? Or are they supposed to review again within 72 hours? *The purpose is to let them know it is going up.*

10) I've heard a PAS, NCSE, and/or Schedule C employee wants to delegate their review to someone on their staff - do we care? Should we just send to who they designate? Insist that it goes to the political + the designee? *I would send it to the person + their designee, unless the person had sent written direction that this was delegated to the designee and they should not be included.*

11) I'm still not totally clear on what they want to see. Here are some examples of things I would worry about, because I'm just not sure:

- email with 20 people cc'd and one of them is a PAS, NCSE, and/or Schedule C employee, he doesn't respond, that's the only place he appears *It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is in the package.*
- email from Chief of Staff directly to a PAS, NCSE, and/or Schedule C employee, she doesn't respond, that's the only place she appears *It goes to her. I would strongly suggest letting her know that is her only involvement and directing her to where it is in the package.*
- email between two bureau employees that states "we'll need to get [a PAS, NCSE, and/or Schedule C employee] to sign off on this", and he's never mentioned again *It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is in the package.*
- outgoing letter responding to an inquiry from a member of the public with Secretary's signature *It is not an email, so it does not go to him.*
- memo sent to all employees by a PAS, NCSE, and/or Schedule C employee *If it was sent via email, it goes to her. Otherwise, it does not.*
- email that is being withheld in full, but names a PAS, NCSE, and/or Schedule C employee ("We were told this is close hold, but today at the meeting John Smith speculated that we may soon start working on ideas for...") and that's the only place the name appeared *It goes to him. I would strongly suggest letting him know that is his only involvement and directing him to where it is redacted in the package.*
- email from a PAS, NCSE, and/or Schedule C employee reviewed and found in interim release #6 of 10. Do we just send her that interim release? Or also everything that already went out? And then for the next 4 interim releases where she's not mentioned again? *The package for release #6 goes to her. I would let her know it is release #6 and more releases are anticipated, but would not send the earlier (or later) packages unless requested to do so.*
- all-employee memo signed by a PAS, NCSE, and/or Schedule C employee, but the email transmitting the memo was sent by HR, would that go up? *Yes.*
- email between two bureau employees stating "This is one of the Secretary's priorities" but they don't name the Secretary (but from the dates we can see it's from this administration) or mention him anywhere else. Would that go up? *No.*

12) Once the PAS, NCSE, and/or Schedule C employee has left DOI that's the end of our obligation right? *Yes.*

13) What about stuff that very clearly needs to go to either our own Director or AS? *This memo doesn't stop your "usual response process," and if those notifications are part of it, no problem.*

14) How far up the chain on DOI does this affect us? *If I am reading this correctly, it means White House level personnel/staffers, etc. and not so much DOI personnel, the Secretary being the exception? There are about 90 PAS, NCSE, and/or Schedule C employees in the Department. (Listed in OCIO spreadsheet discussed above.) These kinds of Departmental employees are the only people that trigger the awareness process.*

BLM-2018-00703-000026

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Thu, May 24, 2018 at 10:16 AM, Cafaro, Cindy <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)> wrote:

Good morning. Please find attached a memorandum formalizing the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

BLM-2018-00703-000027



Witt, Ryan &lt;rwitt@blm.gov&gt;

## Awareness Process for FOIA Productions

**Rausenberger, Wyndy** <wyndy.rausenberger@sol.doi.gov>

Thu, May 24, 2018 at 3:59 PM

To: SOL-Division of Mineral Resources <DMR@sol.doi.gov>, Josaphat Plater-Zyberk <josaphat.plater-zyberk@sol.doi.gov>, Lance Purvis <lance.purvis@sol.doi.gov>, Keiosha Alexander <kaalexander@blm.gov>, "Witt, Ryan" <rwitt@blm.gov>

FYI-- Here is the final signed policy for 72-hour reviews prior to FOIA releases.

**Wyndy Rausenberger**

Attorney-Advisor

DOI Office of the Solicitor, Division of Mineral Resources

Branch of Onshore Minerals

Office: (202) 208-5360

Mobile: (301) 237-7325

Fax: (202) 208-2225

[wyndy.rausenberger@sol.doi.gov](mailto:wyndy.rausenberger@sol.doi.gov)

----- Forwarded message -----

From: **McQuighan, Ryan** <[ryan\\_mcquighan@ios.doi.gov](mailto:ryan_mcquighan@ios.doi.gov)>

Date: Thu, May 24, 2018 at 3:03 PM

Subject: Fwd: Awareness Process for FOIA Productions

To: Wyndy Rausenberger <[wyndy.rausenberger@sol.doi.gov](mailto:wyndy.rausenberger@sol.doi.gov)>

yes, just got the policy today.

See attached.

Ryan McQuighan

Department of the Interior

Office of the Secretary, FOIA Office

1849 C Street, NW, MS-7328

Washington, D.C. 20240

[Ryan\\_McQuighan@ios.doi.gov](mailto:Ryan_McQuighan@ios.doi.gov)

202.208.2047 - direct line

202.513.0765 - phone

202.219.2374 - fax

----- Forwarded message -----

From: **Cafaro, Cindy** <[cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov)>

Date: Thu, May 24, 2018 at 10:16 AM

Subject: Awareness Process for FOIA Productions

To: Robert Howarth <[robert\\_howarth@ios.doi.gov](mailto:robert_howarth@ios.doi.gov)>

[Quoted text hidden]

**Awareness Process Memo Final.pdf**

1103K





## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

MAY 24 2018

Memorandum

To: Assistant Secretaries  
Heads of Bureaus and Offices  
Bureau/Office FOIA Officers

From: Cindy Cafaro  
Departmental FOIA Officer *Cindy Cafaro*

Subject: Awareness Process for Freedom of Information Act Productions

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The Department will continue to process FOIA requests as usual, including: directing searches for responsive records;<sup>4</sup> searching for and providing responsive records;<sup>5</sup> processing responsive records;<sup>6</sup> and reviewing proposed responses.<sup>7</sup> After these steps are completed, the awareness process is as follows:

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Senate Confirmed (PAS), Non-Career Senior Executive (NCSE), and/or Schedule C employees.

- 2) If the names of current Department employees who are PAS, NCSE, and/or Schedule C employees are identified:
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cc: Sylvia Burns, Chief FOIA Officer  
Timothy Murphy, Acting Deputy Solicitor, Division of General Law, Office of the Solicitor  
FOIA Contacts

---

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8/21/2018

DEPARTMENT OF THE INTERIOR Mail - Awareness Process for FOIA Productions

BLM-2018-00703-000030



Witt, Ryan <rwitt@blm.gov>

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## Awareness Process for FOIA Productions

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Witt, Ryan <rwitt@blm.gov>

To: Jeff Krauss <jkrauss@blm.gov>, "Winston, Beverly" <bwinston@blm.gov>

Thu, May 24, 2018 at 11:25 AM

DOI Memo on FYI process for FOIA and politicals

Ryan Witt  
Acting Division Chief - External Affairs  
Bureau of Land Management

Direct: (202) 912-7562

Email: [rwitt@blm.gov](mailto:rwitt@blm.gov)

[Quoted text hidden]



**Awareness Process Memo Final.pdf**

1103K



## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

MAY 24 2018

## Memorandum

To: Assistant Secretaries  
Heads of Bureaus and Offices  
Bureau/Office FOIA Officers

From: Cindy Cafaro  
Departmental FOIA Officer *Cindy Cafaro*

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- 2) If the names of current Department employees who are PAS, NCSE, and/or Schedule C employees are identified:
  - i. FOIA personnel notify each PAS, NCSE, and/or Schedule C employee identified in responsive emails and provide him/her access to the full set of responsive records<sup>8</sup> (in the same format and with the same withholdings that have been approved by SOL, so he/she will see the records exactly as the FOIA requester will).
  - ii. FOIA personnel simultaneously notify a SOL attorney. When applicable, this will be the attorney who reviewed the proposed redactions and/or is handling related FOIA litigation, otherwise the FOIA personnel will contact the SOL Division or Region he/she would contact to review proposed redactions.
  - iii. The PAS, NCSE, and/or Schedule C employee(s) and SOL attorney have up to 72 hours to review the responsive records.<sup>9</sup>
    - a. If a reviewer needs a reasonable amount of additional time to review the responsive records, he/she must inform the FOIA personnel within 72 hours.
    - b. If a reviewer does not reply to the FOIA personnel within 72 hours, *his/her silence will be taken as an affirmation that he/she has concluded his/her review.*
- 3) FOIA personnel will then respond to the FOIA requester in accordance with their usual response process.

As you know, FOIA is a statutory requirement, and full and timely compliance with FOIA obligations is expected. The awareness process discussed above does not change the Department's statutory or, when applicable, litigation deadlines and must be conducted within those existing deadlines.

If you need assistance with a particular FOIA request, please contact your Bureau FOIA Officer using the information found at <https://www.doi.gov/foia/contacts>. If you have general FOIA questions, please contact me at (202) 208-5342 or [cindy\\_cafaro@ios.doi.gov](mailto:cindy_cafaro@ios.doi.gov).

cc: Sylvia Burns, Chief FOIA Officer  
Timothy Murphy, Acting Deputy Solicitor, Division of General Law, Office of the Solicitor  
FOIA Contacts

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<sup>8</sup> This is true even if the FOIA personnel is not in the same Bureau as the PAS, NCSE, and/or Schedule C employee identified in responsive emails.

<sup>9</sup> As noted above, the purpose of this review is to facilitate awareness of the information that will be released after the application of FOIA exemptions. Reviewers are not expected to confirm that the appropriate exemptions have been applied, but may follow up as necessary to understand their basis.